

NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 8727/2002

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL928103804US** on this date, **September 26, 2003**, postage prepaid, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

00746 U.S. PTO
10/672679



Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosed herewith is a new patent application of:

First Named Inventor (or application identifier): Granada et al.

Title of Invention: Apparatus and Method for Delivery of Mitomycin Through and Eluting Biocompatible Implantable Medical Device

Type: ☒ New
☐ Continuation of: _____
☐ Continuation-in-Part of: _____
☐ Divisional of: _____
 which is hereby incorporated by reference in its entirety into the application filed herewith;

and includes the following papers:

1. ☒ Specification 52 pages (including specification, claims, abstract)/104 claims (6 independent)
2. ☒ Declaration/Power of Attorney is:
☒ Executed ☐ Unexecuted ☐ Executed copy from Parent Application
☐ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☒ 32 Distinct sheets of ☐ Formal ☒ Informal Drawings
4. ☒ Application Data Sheet
5. ☐ Preliminary Amendment.
6. ☒ Information Disclosure Statement
☒ Form 1449 ☒ A copy of each cited prior art reference (as necessary)
7. ☐ Assignment with Recordation Cover Sheet.
8. ☒ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

Country	Application Number	Date of Filing (day, month, year)
USA	60/413,833	September 26, 2002

9. ☐ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

Application Number	Date of Filing (day, month, year)

10. ☐ Priority is hereby claimed under 35 U.S.C. § 121 based upon the following application(s):

Application Number	Date of Filing (day, month, year)

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Atty. Docket No.: 8727/2002

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The above applications from which priority is claimed are hereby incorporated in their entirety into the application filed herewith.

11. ☐ Priority document(s).
12. ☐ Microfiche Computer Program (Appendix).
13. ☐ Nucleotide and/or Amino Acid Sequence Submission.
☐ Computer Readable Copy.
☐ Paper Copy (identical to computer copy).
☐ Statement verifying identity of above copies.
14. ☐ Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
15. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. § 1.27.
16. Calculation of Fees:

FEES FOR	TOTAL CLAIMS	EXCESS CLAIMS	FEE	AMOUNT DUE
Basic Filing Fee (37 C.F.R. § 1.16(a))				\$750.00
Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))	104	84	\$18.00	1,512.00
Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))	6	3	\$84.00	252.00
Multiple Dependent Claims (37 C.F.R. § 1.16(d))	No		\$280.00	0.00
Subtotal - Filing Fee Due				2,514.00
Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28)	MULTIPLY BY 0.50			1,257.00
TOTAL FILING FEE DUE				1,257.00
Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h))	0		\$40.00	0.00
GRAND TOTAL DUE				\$1,257.00

17. PAYMENT is:
☒ included in the amount of \$1,257.00 by our enclosed check. The Commissioner is hereby authorized to charge any deficiencies in the fees to Deposit Account 16-0085, Ref. 8727/2002.
☐ not included, but deferred under 37 C.F.R. § 1.53(f).

18. All correspondence for the attached application should be directed to:

Richard B. Smith
Customer Number 29934
111 Huntington Avenue
Boston, MA 02199-7613

19. Other: _____

Respectfully submitted,

Date: September 26, 2003

By: David J. Dykeman
Name: David J. Dykeman
Registration No.: 46,678

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Granada et al.
Serial No.: Not Yet Assigned
Filed: September 26, 2003
Entitled: Apparatus and Method for Delivery of
Mitomycin Through an Eluting
Biocompatible Implantable Medical Device

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

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David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. New Patent Application Transmittal;
2. Patent Application, (52 pages);
3. Thirty Two (32) sheets of informal drawings of Figs. 1-33;
4. Executed Declaration and Power of Attorney;
5. Application Data Sheet;
6. Information Disclosure Statement;
7. PTO Form 1449 citing 109 references;
8. Copies of 2 non U.S. Patent references;
9. Check in the amount of \$1,257.00 for the requisite filing fee; and
10. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 8727/2002. A duplicate of this transmittal letter is enclosed for this purpose.

Date: September 26, 2003

Respectfully submitted,

David J. Dykeman

Registration No.: 46,678

Customer No.: 29934

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100